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17 **UNITED STATES DISTRICT COURT**
18 **NORTHERN DISTRICT OF CALIFORNIA**
19 **SAN FRANCISCO DIVISION**

20 AMERICAN FEDERATION OF
21 GOVERNMENT EMPLOYEES, AFL-CIO, et
al.,

22 Plaintiffs,

23 v.

24 DONALD J. TRUMP, in his official capacity as
25 President of the United States, et al.,

26 Defendants.
27
28

Case No.: 3:25-cv-03070-JD

**DECLARATION OF CHARLES
BARCLAY**

DECLARATION OF CHARLES BARCLAY

I, Charles Barclay, declare as follows:

1. I am over 18 years of age and competent to give this declaration. This declaration is based on my personal knowledge, information, and belief.

2. I am a Heavy Mobile Equipment Mechanic in the Department of the Army, in the Department of Defense. I work at the Anniston Army Depot in Anniston, Alabama. I have worked here for 21 years. My job is to refurbish and maintain Army equipment and vehicles.

3. I am the President and a member of the American Federation of Government Employees Local 1945 ("Local 1945" or the "Union"). I have been the President for nine years. I have been a member of the Union since 2004.

4. Local 1945 represents a bargaining unit of about 2800 civil servants who work in the Anniston Army Depot. These employees include mechanics, machinists, welders, carpenters, electricians, mechanics, painters, painter helpers, expeditors, forklift operators, 18-wheel truck operators, and others. operators, security, fireman, police. It is my understanding that the March 27, 2025 Executive Order titled "Exclusions from Federal Labor Management Relations Programs" ("Exclusion Order") covers all of the workers in Local 1945's bargaining unit other than firefighters and police. I do not agree with the idea that collective bargaining rights for these workers causes a national security problem. We have had collective bargaining agreements with the Army since before 1998.

5. Local 1945's mission is to advocate for and promote the interests of bargaining unit members in their federal employment, including working for a safe and fair workplace for all members. As the exclusive bargaining representative of these workers, the Union provides many services to all bargaining unit members. Core functions of the Union include collective bargaining with the agency to obtain a fair and reasonable collective bargaining agreement ("CBA"); filing and negotiating grievances against the agency to enforce the terms and conditions of the CBA; pursuing arbitrations on behalf of workers to enforce the CBA; and providing other support, guidance, and resources to bargaining unit employees.

1 6. The Exclusion Order will have an immediate adverse effect on the Union's ability
2 to provide these services to unit members and to accomplish its mission. The Exclusion Order
3 will also have an immediate adverse impact on workers in the bargaining unit.

4 7. If the Union is no longer the exclusive bargaining representative of the unit, the
5 Union cannot enforce the CBA against the agency. The CBA provides important rights and
6 protections to workers. For instance, the CBA:

- 7 a. Sets terms and conditions for working hours, overtime, sick leave, holidays, and
8 paid time off for workers in the unit.
- 9 b. Imposes safety and health requirements to ensure the welfare of workers in their
10 place of employment.
- 11 c. Establishes protections for workers regarding reduction-in-force ("RIF") actions
12 and procedures.
- 13 d. Imposes procedures for and limitations on disciplinary and adverse actions against
14 workers.
- 15 e. Provides for an Employee Assistance Program for individuals who have problems
16 associated with alcohol, drug, marital, family, legal, financial, stress, attendance,
17 and other personal concerns.
- 18 f. Establishes grievance and arbitration procedures for employees and the Union to
19 resolve disputes with the agency over employment matters.
- 20 g. Provides for official time, which allows bargaining unit employees to perform
21 union representation activities during certain amounts of time the employee
22 otherwise would be in a duty status, without loss of pay or charge to annual leave.

23 8. Without the Union to represent workers and enforce the CBA, workers will not
24 have the benefit of those rights and protections going forward. I understand that the agency is
25 also likely to rescind the CBA under the Exclusion Order, which will deprive the Union of the
26 binding contract that it negotiated.

